

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re:

MIDNIGHT MADNESS DISTILLING LLC,

Debtor.

CHAPTER 7

Case No. 21-11750-MDC

**BONNIE B. FINKEL, in her capacity as Chapter 7
Trustee for Midnight Madness Distilling LLC,**

Adv. No. 23-00047-MDC

Plaintiff,

JURY TRIAL DEMANDED

v.

**CASEY PARZYCH; SHAWN SHEEHAN; ANGUS
RITTENBURG; KELLY FESTA; ASHLEIGH
BALDWIN; MICHAEL BOYER; R.F. CULBERTSON;
GARY PARZYCH; RYAN USZENSKI; POLEBRIDGE,
LLC; GOOD DESIGN, INC.; AGTECH PA LLC;
AGTECH VI, LLC; XO ENERGY WORLDWIDE,
LLLP; XO EW, LLC; CAN MAN LLC; BEST BEV,
LLC; ETOH WORLDWIDE, LLC; CANVAS 340, LLC;
FINLAND LEASING CO., INC.; and EUGENE T.
PARZYCH, INC.,**

Defendants.

**[PROPOSED] ORDER GRANTING MOVING DEFENDANTS'
MOTION TO DISMISS ADVERSARY COMPLAINT**

Upon the motion (the "Motion")¹ filed on September 15, 2023 of Moving Defendants² pursuant to Rule 12 of the Federal Rules of Civil Procedure, made applicable to this adversary proceeding by Rule 7012 of the Federal Rules of Bankruptcy Procedure, to dismiss the Adversary

¹ Any capitalized term not defined herein shall have the meaning ascribed to it in the Motion.

² The Moving Defendants are Casey Parzych; Angus Rittenburg; Kelly A. Festa; Ashleigh Baldwin; Michael Boyer; R.F. Culbertson; Polebridge, LLC; Good Design, Inc.; AgTech PA LLC; AgTech VI, LLC; XO Energy Worldwide, LLLP; XO EW, LLC; Best Bev, LLC; EtOH Worldwide, LLC; Canvas 340, LLC; and Shawn Sheehan.

Complaint (the “Complaint”) filed against them by plaintiff, Bonnie B. Finkel (the “Trustee” or “Plaintiff”), Chapter 7 Trustee for the debtor, Midnight Madness Distilling LLC f/k/a Theobald and Oppenheimer, LLC d/b/a Faber Distilling (the “Debtor”); and the Court having reviewed the Motion and all related filings; and it appearing that notice of the Motion was good and sufficient under the circumstances and that no other or further notice need be given; and after due deliberation thereon; and good cause appearing therefore, it is hereby

ORDERED, that the Motion is granted as set forth herein; and it is further

ORDERED, that the above captioned adversary proceeding is dismissed with prejudice.

MAGDELINE D. COLEMAN
CHIEF UNITED STATES BANKRUPTCY JUDGE